

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID D. DANIELS,

Petitioner,

v.

KENNETH McKEE,

Respondent.

Case No.: 5:06-cv-140

HONORABLE PAUL L. MALONEY

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**ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation (Dkt. #38) filed by United States Magistrate Judge Joseph G. Scoville in this action. The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation (Dkt. #38) is hereby adopted as the opinion of the Court.

THEREFORE, IT IS ORDERED that petitioner's motion for stay of proceedings (Dkt. #33) is **DENIED** for the reasons stated in the Report and Recommendation.

Dated: July 8, 2009

/s/ Paul L. Maloney

Paul L. Maloney
Chief United States District Judge